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THE WILL

AND

BIOGRAPHY

OF THE LATE

STEPHEN GIRARD, ESQ.

THE

WILL

OF THE LATE

STEPHEN GIRARD, ESQ.

PROCURED FROM THE

Office for the Probate of Wills,

WITH A SHORT

BIOGRAPHY OF HIS LIFE.

The architect of his own fortunes—he has reared a durable monument of his fame in the benefactions he has bequeathed to posterity.

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BIOGRAPHICAL SKETCH

OF

STEPHEN GIRARD.

STEPHEN GIRARD was born at Bordeaux, in France, in, or about the year 1746. Little is known of the early period of his life; and his education is supposed to have been scanty and deficient; whether owing to the neglect of his parents, or the natural waywardness of youth, cannot now be known. A spirit of enterprise, a love of adventure, and a thirst of new scenes and untried situations, very early distinguished him; and no doubt, as early impelled him to leave his native land, for foreign climes and novel modes of existence. It has been said, but with what truth we are not now enabled to state, that parental oppression embittered the shelter of his domestic roof, and inspired him with the first thought of emigration; but it is so easy for the high temperament of youth, to fancy that severe which is only just, and to plead the tyranny of parents, in justification of their own want of filial piety, that we are bound on all occasions, to listen to such narratives as the usual figments of the young, who are naturally disposed to embellish every thing with the tints of romance; and let fancy riot, where facts are obscured from their knowledge. It is most likely, taking into consideration the peculiar structure of the mind of *Stephen Girard*, that he was impelled by the natural enterprise of his vigorous spirit, to quit the parental roof, and to launch himself at once into the boundless ocean of life, to taste its bitterest waters, or reach in safety its most secure harbour.

At the of age twelve, or fourteen, he is supposed to have left *Bordeaux*, in the capacity of a *cabin boy*, in a vessel bound to some port in the *West Indies;* where he is supposed to have remained, trading in that station, between the different islands, and to the United States, until he attained to the situation of Mate; in which capacity he first arrived in this country, at the port of New York. How long he remained in that city, we are not informed. His arrival at New York was probably about the year 1775.

From N. York he removed into New Jersey, and was for some time settled at *Mount Holly*, when the American Army was stationed in that vicinity. He here kept a small store, and manufactured segars; a trade that he had probably acquired in some of the West India Islands.

Mr. Girard settled in Philadelphia about the year 1779. In 1783, he inhabited a small frame tenement on the scite of that elegant brick mansion in which he died; to which were annexed a range of two storied wooden stores. At this period, his commerce was confined to *old iron and old rigging*. He then had no ship or vessel of any description. He was a poor man—obscure, little known, and less noticed.

Mr. Girard, like all men of wealth, commenced the world with "*small beginnings.*" At first a cabin boy; then mate of a small schooner; afterwards a shop keeper, selling segars and groceries; then keeper of a small tavern, or store in Water-street, Philadelphia, where he bottled claret, and continued his manufacture of segars—Stephen Girard successively rose to the rank of the first merchant, and the most opulent banker in the country; stimulated by never tiring industry, and unremitting in his efforts to attain an independency. Though long poor, and unsuccessful in trade, his motto, "*industry and frugality,*" at last triumphed. With Mr. Girard, *business* was a passion; and like all who devote themselves with enthusiasm to any pursuit, and who are gifted with *genius for their profession*, he finally succeeded in realizing a fortune, without example in the history of trade, when the forlorn and destitute condition of his early life is taken into consideration. By what degrees he increased his property, cannot yet be known; and is not material to our proper estimation of his character. "By their fruits ye shall know them." Mr. Girard realized his millions from *commerce*—and his nights as well as days were devoted to the sorcery of the "Water Witch." At the time of his demise, his fortune is estimated to have

amounted to the sum of from twelve to fifteen millions of dollars.

Mr. Girard has left several relations, who reside in Bordeaux, and this city. His brother and sister are still living in the former place; and he has two very accomplished *nieces* married in Philadelphia; one to *John Hemphill, Esq.*, and another to *Dr. J. Y. Clark;* both gentlemen of opulence and respectability. A third niece also resides with Mrs. Clark, extremely amiable and very accomplished. He is also said to have left several nephews; whose education he was careful to promote.

No man has been more remarkable for his active *personal* philanthropy, than Mr. Girard; especially amidst those horrid scenes of devastating pestilence that depopulated and scourged our city, under the name of *yellow fever.* In 1793, more particularly, Mr. Girard was eminently distinguished for his active exertions, in ministering to the sick, and devising plans for the prevention and restriction of contagion. In this laudable, but perilous and appalling work, Mr. Girard had but few colleagues; and of those few, but *one* now survives, in the person of *Mathew Carey, Esq.*, alike distinguished for his usefulness, and who has paid a just tribute of applause to the exemplary labours of Mr. Girard, in that eventful crisis.

Perhaps the first business Mr. Girard engaged in, upon his coming to Philadelphia, was that of an *aquatic pedlar*, up and down the borders of the Delaware, as far as Trenton—supplying the neighbouring farmers with groceries, and ready made clothing, for money, or produce. This trade he prosecuted in a small sail boat; returning every fortnight or three weeks, for a fresh supply. The acquaintances he had contracted with the farmers whilst keeping store at *Mount Holly*, had no doubt suggested, as it afterwards facilitated, this exchange of products.

It was long before Mr. Girard grew rich; for no man accumulates immense wealth by sudden means. Industry is tardy and progressive in her gains, and even speculation, when most favourable, is counterbalanced by adverse chances, that often substract from the harvest of good fortune. Mr. Girard was occupied in commerce, when it made fortunes for all its votaries—but when the "Water Witch" turned her smiles from trade, he wisely directed the greater portion of his immense capital into other and more secure, but less profitable channels: and thus continued to reap a moderate, but certain harvest, at a time, when others were losing even their seed-grain.

Immediately prior to the expiration of the charter of the old bank of the United States in 1810 & 11, Mr. Girard, upon consultation with Geo. Simpson, Esq. who calculated on the renewal of the charter, had instructed the Messrs. *Barings, of London*, to purchase for him a large amount of the stock of the Bank of the United States; which they accordingly did, to the nett value of *one million eight hundred thousand dollars*, under the expectation of the *renewal of the charter*, and a consequent realization of immense profits. Disappointed in this object, he determined to establish a *private Bank*, under the superintendance of the late George Simpson, the Cashier of that Institution; to whom he chiefly confided its transactions; contenting himself with the mere approval of its discounting transactions. This was in 1812, since which the capital of the Bank has augmented to Five Millions.

A more useful and liberal application of his surplus capital, to the wants of the mercantile community, at that peculiar crisis, and at the common rate of interest, could not well have been imagined. His bank, conducted on liberal principles, realized profit to himself and immense facilities to the public. The capital of the old Bank of the *United States* had then just been abstracted from circulation, and Mr. Girard's two millions went far *to arrest bankruptcies*, ease the money market, and restore public confidence and credit to their wonted elasticity.

Mr. Girard became a very heavy subscriber to the *present* Bank of the United States; in the management of which, he was for many years active and efficient; always on the side of sound principles, and firmly opposed to its measures during the era of the *speculation* in its stock. At the time of its institution, he had *government deposits* to the amount of One Million in his Bank, which was paid into the vaults of the new institution with great rapidity, and so efficiently in the *form* of *specie*, as to contribute essentially to the restoration of the currency to its ancient metallic soundness. In a very short time, he brought the Bank of the United States into his debt, and with few exceptions, ever after kept it so. Few of the monied institutions of the country, could have accomplished as much as this opulent banker, to aid the government in producing the resumption of specie payments.

Although *apposed* to the *system of speculation* in the stock of the Bank of the United States, Mr. Girard could not fail to profit by the public delirium that it had excited. By the stock he sold out at that

period, he gained a clear *half* MILLION of dollars, when it commanded 150 to 160 *advance;* still retaining a share in the stock greater than that of any other individual in the country.

The loan of FIVE MILLIONS was taken by Mr. Girard, of the government, in the darkest hour of the last war; and when trembling at the brink—or, rather floundering in the gulf of *bankruptcy and discredit.* The temptation of great profit was certainly powerful, to receive 100 *seven per cent.* stock for 70! But on the other hand, the risk of loss appeared great—*public credit* had expired, and the hopes of the stoutest hearts began to wither. It was an hour that "tried men's souls," and locked up the capital of the country in the vaults of fear and suspicion. Great as was the temptation of profit, few were found willing to put their capital in jeopardy, under the frowning aspect of the times; when the UNION was hanging by a single hair, and the country every day falling into the hands of the enemy.

The habits of Mr. Girard were exclusively those of the man of business. He had no pleasures, but in the performance of active duties: always to be found busy in his compting room, or bustling on his farm, for he was also fond of Agriculture; feeding his own cattle, curing his own beef, and even bestowing his attention on the culture of a vegetable garden, the produce of which he caused to be taken to market. His fruits and his flowers were also of the most choice kind. But in his hands, for his was the touch of Midas, every thing was turned into gold; and fruits, flowers, vegetables, ships, houses, lots, Bank, and all, contributed in the end, to pour millions in his lap. Like all men of immense wealth, it was his peculiar delight, to cast his eyes over the aggregate of his millions. But he took most pleasure in adding house to house, lot to lot, until he could count his squares of buildings, and found it impossible to count the number of his deeds, parchments, and warrants. To the Schuylkill Navigation Company, he was an efficient friend, in the hour of need—as well as to the Chesapeake Canal Company, and other public works of vast importance, and lasting utility. In the arduous struggle of the Bank of the United States to resume specie payments, Mr. Girard, under the councils and influence of his Cashier, Mr. Simpson, was essentially instrumental in producing that result; as well as interposing his voice to reclaim the Bank from the gulf of speculation, and place it on a proper basis; for which he offered to the Bank of the United States all his capital, SPECIE, &c., if they would appoint *George*

Simpson, Cashier, and conduct it on his legitimate principles.

Mr. Girard has no children to mourn his demise—but the whole community will feel his sudden departure, and our city long have cause to deplore his exit to the world of spirits!

In one sense, and in the best sense, Mr. Girard may be justly called a PUBLIC BENEFACTOR; not less for the public improvements he projected and accomplished during his life time, which were unequalled by those of any other individual—than for the beneficent PUBLIC OBJECTS, for which he has bequeathed the chief part of his fortune. Even at the time of his death, his operations as a *Merchant* were very extensive; and the commerce of Philadelphia will long deplore the abstraction of his capital from its business.

The great PUBLIC BENEFACTIONS made by the WILL of Stephen Girard, which we here annex, and which cannot fail to excite the interest and curiosity of every rational mind—proclaim him as one of the *first* PHILANTHROPISTS OF THE AGE; and however individual selfishness among his friends or his kinsmen, might regret the direction his immense fortune has taken—but which we believe is not the case—yet an enlightened benevolence will rejoice, that his great wealth has been devised, with unparalleled patriotism and public spirit, for the BENEFIT OF THE COMMUNITY; and not the gratification of private passions, or individual avarice.

His liberal endowments for the purposes of EDUCATION, would alone shed lustre on his name, and insure him an immortality in the hearts of all future generations. To enlighten the *mind of the people*, is to improve their virtue and extend their usefulness, not less than their happiness, comfort, and freedom.

Mr. Girard's understanding in point of *intellectual* power, was certainly one of the *first order*. He *thought much*, and thought profoundly—but as is often the case with the strongest minds, his train of reflection was frequently apt to describe an *eccentric* orbit. Yet in the ordinary affairs of business, he was, for that very reason, more correct, or if you please, more fortunate than the regular *right angled* speculators of the day. His principal trait of mind, was *anticipation*. He had *digested topics*, when others were only beginning to think of them; and the common observer was often astonished to find, that what he thought he was communicating as *news* to Mr. Girard, was a matter quite *familiar to him*; and that on the strength of it, he was already employed in *loading a ship*, or prosecuting a speculation.

Mr. Girard, in his person, was of stout frame, about five feet six inches in height. His manners were plain; and in conversation he was taciturn, except on business, and being generally engaged by his numerous avocations, he was impatient of all conversation, except what related to his pursuits on hand. In his mode of living he was plain, simple, and void of ostentation. The routine of high life, never had charms to withdraw him from his early habits of simplicity, even in the zenith of his fortune. His *recreation* was *business*—he knew no other pleasure, and labour was to him delight. He was particularly fond of working on his *farm;* and he *out-worked* all the labourers he employed. At the very close of life, he allowed himself no respite from business; never dreamed of retiring; but in the words of our great dramatic poet, adapted to his civil pursuits, he may be said to have "*died with harness on his back.*"

THE WILL

OF THE LATE

STEPHEN GIRARD, ESQ.

I, Stephen Girard, of the City of Philadelphia, in the Commonwealth of Pennsylvania, Mariner and Merchant, being of sound mind, memory and understanding, do make and publish this my last Will and Testament, in manner following: that is to say—

I. I give and bequeath unto "The Contributors to the Pennsylvania Hospital," of which Corporation I am a member, the sum of *Thirty Thousand Dollars*, upon the following conditions, namely, that the said sum shall be added to their Capital, and shall remain a part thereof forever, to be placed at interest, and the interest thereof to be applied, *in the first place*, to pay to my black woman Hannah (to whom I hereby give her freedom,) the sum of two hundred dollars per year, in quarterly payments of fifty dollars each in advance, during all the term of her life; and, *in the second place*, the said interest to be applied to the use and accommodation of the sick in the said Hospital, and for providing, and at all times having competent matrons, and a sufficient number of nurses and assistant nurses, in order not only to promote the purposes of the said Hospital, but to increase this last class of useful persons much wanted in our city.

II. I give and bequeath to "The Pennsylvania Institution for the Deaf and Dumb," the sum of *Twenty Thousand Dollars*, for the use of that Institution.

III. I give and bequeath to "The Orphan Asylum of Philadelphia," the sum of *Ten Thousand Dollars*, for the use of that Institution.

IV. I give and bequeath to "The Comptrollers of the Public Schools for the City and County of Philadelphia," the sum of *Ten Thousand Dollars*, for the use of the Schools upon the Lancaster system, in the first section of the first school district of Pennsylvania.

V. I give and bequeath to "The Mayor, Aldermen and Citizens of Philadelphia," the sum of *Ten Thousand Dollars*, in trust safely to invest the same in some productive fund, and with the interest and dividends arising therefrom to purchase fuel between the months of March and August in every year forever, and in the month of January in every year forever, distribute the same amongst poor white house-keepers and room-keepers, of good character, residing in the city of Philadelphia.

VI. I give and bequeath to the Society for the Relief of poor and distressed Masters of Ships, their Widows and Children, (of which Society I am a member) the sum of *Ten Thousand Dollars*, to be added to their Capital stock, for the uses and purposes of said Society.

VII. I give and bequeath to the gentlemen who shall be Trustees of the Masonic Loan, at the time of my decease, the sum of *Twenty Thousand Dollars*, including therein ten thousand and nine hundred dollars due to me, part of the Masonic Loan, and

any interest that may be due thereon at the time of my decease, in trust for the use and benefit of "The Grand Lodge of Pennsylvania, and Masonic Jurisdiction thereto belonging," and to be paid over by the said Trustees to the said Grand Lodge, for the purpose of being invested in some safe stock or funds, or other good security, and the dividends and interest arising therefrom to be again so invested and added to the Capital, without applying any part thereof to any other purpose, until the whole capital shall amount to thirty thousand dollars, when the same shall forever after remain a permanent fund or Capital, of the said amount of thirty thousand dollars, the interest whereof shall be applied from time to time to the relief of poor and respectable brethren; and in order that the real and benevolent purposes of masonic institutions may be attained, I recommend to the several lodges not to admit to membership, or to receive members from other lodges unless the applicants shall absolutely be men of sound and good morals.

VIII. I give and bequeath unto Philip Peltz, John Lentz, Francis Hesley, Jacob Baker and Adam Young, of Passyunk township, in the County of Philadelphia, the sum of *Six Thousand Dollars*, in trust, that they or the survivors or survivor of them shall purchase a suitable piece of ground, as near as may be in the centre of said township, and thereon erect a substantial brick building, sufficiently large for a school-house, and the residence of a school-master, one part thereof for poor male white children, and the other part for poor female white children of said township; and as soon as the said school-house shall have been built, that they the said trustees or the

survivors or survivor of them, shall convey the said piece of ground and house thereon erected, and shall pay over such balance of said sum as may remain unexpended to any board of directors and their successors in trust, which may at the time exist or be by law constituted, consisting of at least twelve discreet inhabitants of the said township, and to be annually chosen by the inhabitants thereof; the said piece of ground and house to be carefully maintained by said directors and their successors solely for the purposes of a school as aforesaid forever, and the said balance to be securely invested as a permanent fund, the interest thereof to be applied from time to time towards the education in the said school of any number of such poor white children of said township; and I do hereby recommend to the citizens of said township to make additions to the fund whereof I have laid the foundation.

IX. I give and devise my house and lot of ground thereto belonging, situate in rue Ramouet aux Chartrons, near the city of Bordeaux, in France, and the rents, issues, and profits thereof, to my brother, Etienne Girard, and my niece Victoire Fenellon, (daughter of my late sister Sophia Girard Capayron,) (both residing in France,) in equal moieties for the life of my said brother, and, on his decease, one moiety of the said house and lot to my said niece Victoire, and her heirs forever, and the other moiety to the six children of my said brother, namely, John Fabricius, Marguerite, Ann Henriette, Jean August, Marie, and Madelaine Henriette, share and share alike, (the issue of any deceased child, if more than one, to take amongst them the parent's share) and their heirs forever.

X. I give and bequeath to my said brother, Etienne Girard, the sum of *Five Thousand Dollars*, and the like sum of *Five Thousand Dollars* to each of his six children above named: if any of the said children shall die prior to the receipt of his or her legacy of five thousand dollars, the said sum shall be paid, and I give and bequeath the same to any issue of such deceased child, if more than one, share and share alike.

XI. I give and bequeath to my said niece, Victoire Fenellon, the sum of *Five Thousand Dollars*.

XII. I give and bequeath absolutely to my niece, Antoinetta, now married to Mr. Hemphill, the sum of *Ten Thousand Dollars*, and I also give and bequeath to her the sum of *Fifty Thousand Dollars*, to be paid over to a trustee or trustees to be appointed by my executors, which trustee or trustees shall place and continue the said sum of fifty thousand dollars upon good security, and pay the interest and dividends thereof as they shall from time to time accrue, to my said niece for her separate use, during the term of her life, and from and immediately after her decease, to pay and distribute the capital to and among such of her children and the issue of deceased children, and in such parts and shares as she the said Antoinetta, by any instrument under her hand and seal, executed in the presence of at least two credible witnesses, shall direct and appoint, and for default of such appointment, then to and among the said children and issue of deceased children in equal shares, such issue of deceased children, if more than one, to take only the share which their deceased parent would have taken if living.

XIII. I give and bequeath unto my niece, Carolina,

now married to Mr. Haslam, the sum of *Ten Thousand Dollars*, to be paid over to a trustee or trustees to be appointed by my executors, which trustee or trustees shall place and continue the said money upon good security, and pay the interest and dividends thereof from time to time as they shall accrue, to my said niece, for her separate use, during the term of her life; and from and immediately after her decease, to pay and distribute the capital to and among such of her children and issue of deceased children, and in such parts and shares, as she the said Carolina, by any instrument under her hand and seal, executed in the presence of at least two credible witnesses, shall direct and appoint, and for default of such appointment, then to and among the said children, and issue of deceased children, in equal shares, such issue of deceased children, if more than one, to take only the share which the deceased parent would have taken if living; but if my said niece, Carolina, shall leave no issue, then the said trustee or trustees on her decease, shall pay the said capital and any interest accrued thereon, to and among Caroline Lallemand, (niece of the said Carolina,) and the children of the aforesaid Antoinetta Hemphill, share and share alike.

XIV. I give and bequeath to my niece Henrietta, now married to Dr. Clark, the sum of *Ten Thousand Dollars;* and I give and bequeath to her daughter Caroline, (in the last clause above named,) the sum of *Twenty Thousand Dollars*—the interest of the said sum of twenty thousand dollars, or so much thereof as may be necessary, to be applied to the maintenance and education of the said Caroline during her minority, and the principal with any accumulated in-

terest, to be paid to the said Caroline, on her arrival at the age of twenty-one years.

XV. Unto each of the Captains who shall be in my employment at the time of my decease, either in port, or at sea, having charge of one of my ships or vessels, and having performed at least two voyages in my service, I give and bequeath the sum of *Fifteen Hundred Dollars*—provided he shall have brought safely into the port of Philadelphia, or if at sea at the time of my decease, shall bring safely into that port, my ship or vessel last entrusted to him, and also that his conduct during the last voyage shall have been in every respect conformable to my instructions to him.

XVI. All persons, who, at the time of my decease, shall be bound to me by indenture, as apprentices or servants, and who shall then be under age, I direct my executors to assign to suitable masters immediately after my decease, for the remainder of their respective terms, on conditions as favourable as they can in regard to education, clothing and freedom dues; to each of the said persons in my service and under age at the time of my decease, I give and bequeath the sum of *Five Hundred Dollars*, which sums respectively I direct my executors safely to invest in public stock, to apply the interest and dividends thereof, towards the education of the several apprentices or servants, for whom the capital is given respectively, and at the termination of the apprenticeship or service of each, to pay to him or her the said sum of five hundred dollars and any interest accrued thereon, if any such interest shall remain unexpended; in assigning any indenture, preference shall be given to the mother, father, or next relation,

as assignee, should such mother, father, or relative desire it, and be at the same time respectable and competent.

XVII. I give and bequeath to Francis Hesley (son of Mrs. S. Hesley, who is mother of Marianne Hesley,) the sum of *One Thousand Dollars*, over and above such sum as may be due to him at my decease.

XVIII. I charge my real estate in the State of Pennsylvania with the payment of the several annuities or sums following, (the said annuities to be paid by the Treasurer or other proper officer of the City of Philadelphia, appointed by the Corporation thereof for the purpose, out of the rents and profits of said real estate hereinafter directed to be kept constantly rented,) namely:—

1st. I give and bequeath to Mrs. Elizabeth Ingersoll, Widow of Jared Ingersoll, Esq., late of the City of Philadelphia, Counsellor at Law, an annuity, or yearly sum of *One Thousand Dollars*, to be paid in half yearly payments, in advance, of five hundred dollars each, during her life.

2d. I give and bequeath to Mrs. Catharine Girard, now widow of Mr. J. B. Hoskins, who died in the Isle of France, an annuity, or yearly sum of *Four Hundred Dollars*, to be paid in half-yearly payments in advance, of two hundred dollars each, during her life.

3d. I give and bequeath to Mrs. Jane Taylor, my present housekeeper, (the widow of the late Captain Alexander Taylor, who was master of my ship Helvetius, and died in my employment,) an annuity, or yearly sum of *Five Hundred Dollars*, to be paid in half-yearly payments, in advance, of two hundred and fifty dollars each, during her life.

4th. I give and bequeath to Mrs. S. Hesley, my

housekeeper at my place in Passyunk Township, an annuity, or yearly sum of *Five Hundred Dollars*, to be paid in half-yearly payments, in advance, of two hundred and fifty dollars each, during her life.

5th. I give and bequeath to Marianne Hesley, daughter of Mrs. S. Hesley, an annuity, or yearly sum of *Three Hundred Dollars*, to be paid to her mother, for her use, in half-yearly payments, in advance, of one hundred and fifty dollars each, until the said Marianne shall have attained the age of twenty-one years, when the said annuity shall cease, and the said Marianne will receive the five hundred dollars given to her and other indented persons, according to clause XVI. of this will.

6th. I give and bequeath to my late housekeeper, Mary Kenton, an annuity, or yearly sum of *Three Hundred Dollars*, to be paid in half-yearly payments, in advance, of one hundred and fifty dollars each, during her life.

7th. I give and bequeath to Mrs. Deborah Scott, sister of Mary Kenton, and wife of Mr. Edwin T. Scott, an annuity, or yearly sum of *Three Hundred Dollars*, to be paid in half-yearly payments, in advance, of one hundred and fifty dollars each, during her life.

8th. I give and bequeath to Mrs. Catharine M'Laren, sister of Mary Kenton, and wife of Mr. M. M'Laren, an annuity, or yearly sum of *Three Hundred Dollars*, to be paid in half-yearly payments, in advance, of one hundred and fifty dollars each, during her life.

9th. I give and bequeath to Mrs. Amelia G. Taylor, wife of Mr. Richard M. Taylor, an annuity, or yearly sum of *Three Hundred Dollars*, to be paid in half-

yearly payments, in advance, of one hundred and fifty dollars each, during her life.

XIX. All that part of my real and personal estate, near Washita, in the State of Louisiana, the said real estate consisting of upwards of two hundred and eight thousand arpens, or acres of land, and including therein the settlement hereinafter mentioned, I give, devise, and bequeath, as follows, namely: 1. I give, devise and bequeath to the Corporation of the City of New Orleans, their successors and assigns, all that part of my real estate, constituting the settlement formed on my behalf by my particular friend, Judge Henry Bree, of Washita, consisting of upwards of one thousand arpens, or acres of land, with the appurtenances and improvements thereon, and also all the personal estate thereto belonging, and thereon remaining, including upwards of thirty slaves now on said settlement, and their increase, in trust, however, and subject to the following reservations:

I desire, that no part of the said estate or property, or the slaves thereon, or their increase, shall be disposed of or sold for the term of twenty years from and after my decease, should the said Judge Henry Bree survive me and live so long, but that the said settlement shall be kept up by the said Judge Henry Bree, for and during said term of twenty years, as if it was his own; that is, it shall remain under his sole care and control, he shall improve the same by raising such produce as he may deem most advisable, and, after paying taxes, and all expenses in keeping up the settlement, by clothing the slaves and otherwise, he shall have and enjoy for his own use all the nett profits of said settlement. Provided, however, and I desire that the said Judge Henry Bree shall render annually to the Corporation

of the City of New Orleans, a report of the state of the settlement, the income and expenditure thereof, the number and increase of the slaves, and the nett result of the whole. I desire that, at the expiration of the said term of twenty years, or on the decease of the said Judge Henry Bree, should he not live so long, the land and improvements forming said settlement, the slaves thereon, or thereto belonging, and all other appurtenant personal property, shall be sold, as soon as the said Corporation shall deem it advisable to do so, and the proceeds of the said sale or sales shall be applied by the said Corporation to such uses and purposes as they shall consider most likely to promote the health and general prosperity of the inhabitants of the City of New Orleans. But, until the said sale shall be made, the said Corporation shall pay all taxes, prevent waste or intrusion, and so manage the said settlement and the slaves, and their increase thereon, as to derive an income, and the said income shall be applied from time to time, to the same uses and purposes for the health and general prosperity of the said inhabitants.

2. I give, devise, and bequeath to the Mayor, Aldermen, and Citizens of Philadelphia, their successors and assigns, two undivided third parts of all the rest and residue of my said real estate, being the lands unimproved near Washita, in the said State of Louisiana, in trust, that, in common with the Corporation of the City of New Orleans, they shall pay the taxes on the said lands, and preserve them from waste or intrusion, for the term of ten years from and after my decease, and, at the end of the said term, when they shall deem it advisable to do so, shall sell and dispose of their interest in said lands gradually from time to time, and apply the proceeds of such sales to the

same uses and purposes hereinafter declared and directed, of and concerning the residue of my personal estate.

3. And I give, devise, and bequeath to the Corporation of the City of New Orleans, their successors and assigns, the remaining one undivided third part of the said lands, in trust, in common with the Mayor, Aldermen and Citizens of Philadelphia, to pay the taxes on the said lands, and preserve them from waste and intrusion, for the term of ten years from and after my decease, and, at the end of the said term when they shall deem it advisable to do so, to sell and dispose of their interest in said lands gradually from time to time, and to apply the proceeds of such sales to such uses and purposes as the said Corporation may consider most likely to promote the health and general prosperity of the inhabitants of the City of New Orleans.

XX. And whereas, I have been for a long time impressed with the importance of educating the poor, and of placing them by the early cultivation of their minds and the development of their moral principles above the many temptations, to which, through poverty and ignorance they are exposed; and I am particularly desirous to provide for such a number of poor male white ophan children, as can be trained in one institution, a better education, as well as a more comfortable maintenance than they usually receive from the application of the public funds: And whereas, together with the object just adverted to, I have sincerely at heart the welfare of the City of Philadelphia, and, as a part of it, am desirous to improve the neighbourhood of the river Delaware, so that the health of the citizens may be promoted and preserved, and that the eastern part of the city may be made to correspond better with the interior:

Now, I do give, devise and bequeath *all the residue and remainder of my Real and Personal Estate* of every sort and kind wheresoever situate, (the real estate in Pennsylvania charged as aforesaid) unto "the Mayor, Aldermen and Citizens of Philadelphia," their successors and assigns, in trust, to and for the several uses, intents, and purposes hereinafter mentioned and declared of and concerning the same, that is to say: So far as regards my real estate in Pennsylvania, in trust, that no part thereof shall ever be sold or alienated by the said the Mayor, Aldermen and Citizens of Philadelphia, or their successors, but the same shall for ever thereafter be let from time to time, to good tenants, at yearly, or other rents, and upon leases in possession not exceeding five years from the commencement thereof, and that the rents, issues, and profits arising therefrom shall be applied towards keeping that part of the said real estate situate in the city and liberties of Philadelphia constantly in good repair, (parts elsewhere situate to be kept in repair by the tenants thereof respectively) and towards improving the same, whenever necessary, by erecting new buildings, and that the nett residue (after paying the several annuities herein before provided for) be applied to the same uses and purposes as are herein declared of and concerning the residue of my personal estate: And so far as regards my real estate in Kentucky, now under the care of Messrs. Triplett and Burmley, in trust, to sell and dispose of the same, whenever it may be expedient to do so, and to apply the proceeds of such sale to the same uses and purposes as are herein declared of and concerning the residue of my personal estate.

XXI. And so far as regards the residue of my personal estate, in trust, as to *Two Millions of Dollars*, part thereof to apply and expend so much of that sum as may

be necessary—in erecting, as soon as practicably may be, in the centre of my square of ground between High and Chesnut Streets, and Eleventh and Twelfth Streets, in the City of Philadelphia, (which square of ground I hereby devote for the purposes hereinafter stated, and for no other, for ever,) a permanent college, with suitable out-buildings, sufficiently spacious for the residence and accommodation of at least three hundred scholars, and the requisite teachers and other persons necessary in such an institution as I direct to be established: and in supplying the said college and out-buildings with decent and suitable furniture, as well as books and all things needful to carry into effect my general design.

The said college shall be constructed with the most durable materials, and in the most permanent manner, avoiding needless ornament, and attending chiefly to the strength, convenience, and neatness of the whole: It shall be at least one hundred and ten feet east and west, and one hundred and sixty feet north and south, and shall be built on lines parallel with High and Chesnut Streets and Eleventh and Twelfth Streets, provided those lines shall constitute at their junction right angles: It shall be three stories in height, each story at least fifteen feet high in the clear from the floor to the cornice: It shall be fire-proof inside and outside. The floors and the roof to be formed of solid materials, on arches turned on proper centres, so that no wood may be used, except for doors, windows and shutters: Cellars shall be made under the whole building, solely for the purposes of the institution; the doors to them from the outside shall be on the east and west of the building, and access to them from the inside shall be had by steps, descending to the cellar floor from each of the entries or halls hereinafter mentioned, and the inside cellar

doors to open under the stairs on the north-east and north-west corners of the northern entry, and under the stairs on the south-east and south-west corners of the southern entry; there should be a cellar window under and in a line with each window in the first story—they should be built one half below, the other half above the surface of the ground, and the ground outside each window should be supported by stout walls; the sashes should open inside, on hinges, like doors, and there should be strong iron bars outside each window; the windows inside and outside should not be less than four feet wide in the clear: There shall be in each story four rooms, each room not less than fifty feet square in the clear; the four rooms on each floor to occupy the whole space east and west on such floor or story, and the middle of the building north and south; so that in the north of the building, and in the south thereof, there may remain a space of equal dimensions, for an entry or hall in each, for stairs and landings: In the north-east and in the north-west corners of the northern entry or hall on the first floor, stairs shall be made so as to form a double stair-case, which shall be carried up through the several stories; and, in like manner, in the south-east and south-west corners of the southern entry or hall, stairs shall be made, on the first floor, so as to form a double stair-case, to be carried up through the several stories; the steps of the stairs to be made of smooth white marble, with plain square edges, each step not to exceed nine inches in the rise, nor to be less than ten inches in the tread; the outside and inside foundation walls shall be at least ten feet high in the clear from the ground to the ceiling; the first floor shall be at least three feet above the level of the ground around the building, after that ground shall have been so regulated

as that there shall be a gradual descent from the centre to the sides of the square formed by High and Chesnut and Eleventh and Twelfth Streets: all the outside foundation walls, forming the cellars, shall be three feet six inches thick up to the first floor, or as high as may be necessary to fix the centres for the first floor; and the inside foundation wall, running north and south, and the three inside foundation walls running east and west (intended to receive the interior walls for the four rooms, each not less than fifty feet square in the clear, above mentioned), shall be three feet thick up to the first floor, or as high as may be necessary to fix the centres for the first floor when carried so far up, the outside walls shall be reduced to two feet in thickness, leaving a recess outside of one foot, and inside, of six inches—and when carried so far up, the inside foundation walls shall also be reduced, six inches on each side, to the thickness of two feet; centres shall then be fixed on the various recesses of six inches throughout, left for the purpose, the proper arches shall be turned, and the first floor laid; the outside and the inside walls shall then be carried up of the thickness of two feet throughout, as high as may be necessary to begin the recess intended to fix the centres for the second floor, that is, the floor for the four rooms, each not less than fifty feet square in the clear, and for the landing in the north, and the landing in the south of the building, where the stairs are to go up—at this stage of the work, a chain, composed of bars of inch square iron, each bar about ten feet long, and linked together by hooks formed of the ends of the bars, shall be laid straightly and horizontally along the several walls, and shall be as tightly as possible worked into the centre of them throughout, and shall be secured wherever necessary, especially at all

the angles, by iron clamps solidly fastened, so as to prevent cracking or swerving in any part; centres shall then be laid, the proper arches turned for the second floor and landings, and the second floor and landings shall be laid; the outside and the inside walls shall then be carried up of the same thickness of two feet throughout as high as may be necessary to begin in the recess intended to fix the centres for the third floor and landings, and, when so far carried up, another chain similar in all respects to that used at the second story, shall be in like manner worked into the walls throughout as tightly as possible, and clamped in the same way with equal care; centres shall be formed, the proper arches turned, and the third floor and landings shall be laid: the outside and the inside walls shall then be carried up, of the same thickness of two feet throughout, as high as may be necessary to begin the recess intended to fix the centres for the roof; and, when so carried up, a third chain, in all respects like those used at the second and third stories, shall in the manner before described, be worked as tightly as possible into the walls throughout, and shall be clamped with equal care; centres shall now be fixed in the manner best adapted for the roof, which is to form the ceiling for the third story, the proper arches shall be turned, and the roof shall be laid as nearly horizontally as may be, consistently with the easy passage of water to the eaves: the outside walls still of the thickness of two feet throughout, shall then be carried up about two feet above the level of the platform, and shall have marble capping, with a strong and neat iron railing thereon: The outside walls shall be faced with slabs or blocks of marble or granite, not less than two feet thick, and fastened together with clamps securely sunk therein,—they shall

be carried up flush from the recess of one foot formed at the first floor where the foundation outside wall is reduced to two feet: The floors and landings as well as the roof shall be covered with marble slabs, securely laid in mortar; the slabs on the roof to be twice as thick as those on the floors. In constructing the walls, as well as in turning the arches, and laying the floors, landings, and roof, good and strong mortar and grout, shall be used, so that no cavity whatever may any where remain. A furnace or furnaces for the generation of heated air shall be placed in the cellar, and the heated air shall be introduced in adequate quantity wherever wanted by means of pipes and flues inserted and made for the purpose in the walls, and as those walls shall be constructed. In case it shall be found expedient for the purposes of a library, or otherwise, to increase the number of rooms, by dividing any of those directed to be not less than fifty feet square in the clear, into parts, the partition walls to be of solid materials. A room most suitable for the purpose, shall be set apart for the reception, and preservation of my books and papers, and I direct that they shall be placed there by my executors, and carefully preserved therein. There shall be two principal doors of entrance into the college, one into the entry or hall on the first floor, in the north of the building, and in the centre between the east and west walls, the other into the entry or hall in the south of the building, and in the centre between the east and west walls; the dimensions to be determined by a due regard to the size of the entire building, to that of the entry, and to the purposes of the doors. The necessity for, as well as the position and size of, other doors, internal or external, and also the position and size of the windows, to be, in like manner, decided on by a consideration of the uses to which the building

is to be applied, the size of the building itself, and of the several rooms, and of the advantages of light and air: there should in each instance be double doors, those opening into the rooms to be what are termed glass doors, so as to increase the quantity of light for each room, and those opening outward to be of substantial wood work well lined and secured; the windows of the second and third stories I recommend to be made in the style of those in the first and second stories of my present dwelling house, North Water Street, on the eastern front thereof; and outside each window I recommend that a substantial and neat iron balcony be placed sufficiently wide, to admit the opening of the shutters against the walls; the windows of the lower story to be in the same style except that they are not to descend to the floor, but so far as the surbase, up to which the wall is to be carried, as is the case in the lower story of my house at my place in Passyunk Township. In minute particulars, not here noticed, utility and good taste should determine. There should be at least four outbuildings, detached from the main edifice and from each other, and in such positions as shall at once answer the purposes of the institution, and be consistent with the symmetry of the whole establishment: each building should be, as far as practicable, devoted to a distinct purpose; in that one or more of those buildings, in which they may be most useful, I direct my executors to place my plate and furniture of every sort.

The entire square, formed by High and Chesnut Streets, and Eleventh and Twelfth Streets, shall be enclosed with a solid wall, at least fourteen inches thick, and ten feet high, capped with marble and guarded with irons on the top, so as to prevent persons from getting over; there shall be two places of entrance into the

square, one in the centre of the wall facing High Street, and the other in the centre of the wall facing Chesnut Street; at each place of entrance there shall be two gates, one opening inward, and the other outward; those opening inward to be of iron, and in the style of the gates north and south of my Banking house; and those opening outward to be of substantial wood work well lined and secured on the faces thereof with sheet iron. The messuages now erected on the south-east corner of High and Twelfth Streets, and on Twelfth Street, to be taken down and removed as soon as the college and out-buildings shall have been erected, so that the establishment may be rendered secure and private.

When the college and appurtenances shall have been constructed, and supplied with plain and suitable furniture and books, philosophical and experimental instruments and apparatus, and all other matters needful to carry my general design into execution; the income, issues and profits of so much of the said sum of two millions of dollars as shall remain unexpended, shall be applied to maintain the said college according to my directions.

1. The institution shall be organized as soon as practicable, and to accomplish that purpose more effectually, due public notice of the intended opening of the college shall be given—so that there may be an opportunity to make selections of competent instructors, and other agents, and those who may have the charge of orphans, may be aware of the provisions intended for them.

2. A competent number of instructors, teachers, assistants, and other necessary agents, shall be selected, and when needful, their places from time to time supplied: they shall receive adequate compensation for their services: but no person shall be employed, who shall not be

of tried skill in his or her proper department, of established moral character, and in all cases persons shall be chosen on account of their merit, and not through favour or intrigue.

3. As many poor white male orphans, between the ages of six and ten years, as the said income shall be adequate to maintain, shall be introduced into the college as soon as possible; and from time to time as there may be vacancies, or as increased ability from income may warrant, others shall be introduced.

4. On the application for admission, an accurate statement should be taken in a book prepared for the purpose, of the name, birthplace, age, health, condition as to relatives, and other particulars useful to be known of each orphan.

5. No orphan should be admitted until the guardians or directors of the poor, or a proper guardian or other competent authority, shall have given, by indenture, relinquishment, or otherwise, adequate power to the Mayor, Aldermen, and Citizens of Philadelphia, or to directors, or others by them appointed, to enforce, in relation to each orphan, every proper restraint, and to prevent relatives or others from interfering with, or withdrawing such orphan from the institution.

6. Those orphans, for whose admission application shall first be made, shall be first introduced, all other things concurring—and at all future times, priority of application shall entitle the applicant to preference in admission, all other things concurring; but if there shall be at any time, more applicants than vacancies, and the applying orphans shall have been born in different places, a preference shall be given—*first*, to orphans born in the city of Philadelphia; *secondly*, to those born in any other part of Pennsylvania; *thirdly*, to those born

in the city of New York (that being the first port on the continent of North America at which I arrived); and *lastly*, to those born in the city of New Orleans, being the first port on the said continent at which I first traded, in the first instance as first officer, and subsequently as master and part owner of a vessel and cargo.

7. The orphans admitted into the college, shall be there fed with plain but wholesome food, clothed with plain but decent apparel, (no distinctive dress ever to be worn) and lodged in a plain but safe manner: Due regard shall be paid to their health, and to this end their persons and clothes shall be kept clean, and they shall have suitable and rational exercise and recreation: They shall be instructed in the various branches of a sound education, comprehending reading, writing, grammar, arithmetic, geography, navigation, surveying, practical mathematics, astronomy, natural, chemical, and experimental philosophy, the French and Spanish languages, (I do not forbid, but I do not recommend the Greek and Latin languages)—and such other learning and science as the capacities of the several scholars may merit or warrant: I would have them taught facts and things, rather than words or signs: And, especially, I desire, that by every proper means a pure attachment to our republican institutions, and to the sacred rights of conscience, as guaranteed by our happy constitutions, shall be formed and fostered in the minds of the scholars.

8. Should it unfortunately happen, that any of the orphans, admitted into the college, shall, from misconduct, have become unfit companions for the rest, and mild means of reformation prove abortive, they should no longer remain therein.

9. Those scholars, who shall merit it, shall remain in the college until they shall respectively arrive at between fourteen and eighteen years of age; they shall then be bound out by the Mayor, Aldermen and Citizens of Philadelphia, or under their direction, to suitable occupations, as those of agriculture, navigation, arts, mechanical trades, and manufactures, according to the capacities and acquirements of the scholars respectively, consulting, as far as prudence shall justify it, the inclinations of the several scholars, as to the occupation, art, or trade, to be learned.

In relation to the organization of the college and its appendages, I leave, necessarily, many details to the Mayor, Aldermen and Citizens of Philadelphia, and their successors; and I do so, with the more confidence, as, from the nature of my bequests and the benefit to result from them, I trust that my fellow citizens of Philadelphia, will observe and evince especial care and anxiety in selecting members for their city councils, and other agents.

There are, however, some restrictions, which I consider it my duty to prescribe, and to be, amongst others, conditions on which my bequest for said college is made and to be enjoyed, namely: *first*, I enjoin and require, that, if, at the close of any year, the income of the fund devoted to the purposes of the said college shall be more than sufficient for the maintenance of the institution during that year, then the balance of the said income, after defraying such maintenance, shall be forthwith invested in good securities, thereafter to be and remain a part of the capital; but, in no event, shall any part of the said capital be sold, disposed of, or pledged, to meet the current expenses of the said institution, to which I devote the interest, in-

come, and dividends thereof, exclusively: *Secondly*, I enjoin and require that *no ecclesiastic, missionary, or minister of any sect whatsoever, shall ever hold or exercise any station or duty whatever in the said college; nor shall any such person ever be admitted for any purpose, or as a visitor, within the premises appropriated to the purposes of the said college:*—In making this restriction, I do not mean to cast any reflection upon any sect or person whatsoever; but, as there is such a multitude of sects, and such a diversity of opinion amongst them, I desire to keep the tender minds of the orphans, who are to derive advantage from this bequest, free from the excitement, which clashing doctrines and sectarian controversy are so apt to produce; my desire is, that all the instructors and teachers in the college shall take pains to instil into the minds of the scholars, *the purest principles of morality*, so that, on their entrance into active life, they may *from inclination and habit*, evince *benevolence towards their fellow creatures*, and *a love of truth, sobriety and industry*, adopting at the same time such religious tenets as their *matured reason* may enable them to prefer.—If the income, arising from that part of the said sum of two millions of dollars, remaining after the construction and furnishing of the college and out-buildings, shall, owing to the increase of the number of orphans applying for admission, or other cause, be inadequate to the construction of new buildings, or the maintenance and education of as many orphans as may apply for admission, then such further sum as may be necessary for the construction of new buildings and the maintenance and education of such further number of orphans, as can be maintained and instructed within such buildings as the said square of ground shall be adequate to, shall be taken from the

final residuary fund hereinafter expressly referred to for the purpose, comprehending the income of my real estate in the city and county of Philadelphia, and the dividends of my stock in the Schuylkill Navigation Company—my design and desire being, that the benefits of said institution shall be extended to as great a number of orphans as the limits of the said square and buildings therein can accommodate.

XXII. And as to the further sum of *Five Hundred Thousand Dollars*, part of the residue of my personal estate, in trust, to invest the same securely, and to keep the same so invested, and to apply the income thereof exclusively to the following purposes: that is to say—

1. To lay out, regulate, curb, light and pave a passage or street, on the east part of the city of Philadelphia, fronting the river Delaware, not less than twenty-one feet wide, and to be called *Delaware Avenue*, extending from South or Cedar Street, all along the east part of Water Street squares, and the west side of the logs, which form the heads of the docks, or thereabouts; and to this intent to obtain such Acts of Assembly, and to make such purchases or agreements, as will enable the Mayor, Aldermen and Citizens of Philadelphia to remove or pull down all the buildings, fences and obstructions which may be in the way, and to prohibit all buildings, fences, or erections of any kind to the eastward of said Avenue; to fill up the heads of such of the docks as may not afford sufficient room for the said street; to compel the owners of wharves to keep them clean and covered completely with gravel or other hard materials, and to be so levelled that water will not remain thereon after a shower of rain; to completely clean and keep clean all the docks within

the limits of the city, fronting on the Delaware; and to pull down all platforms carried out, from the east part of the city over the river Delaware on piles or pillars.

2. To pull down and remove all wooden buildings, as well those made of wood and other combustible materials, as those called brick-paned, or frame buildings filled in with bricks, that are erected within the limits of the city of Philadelphia, and also to prohibit the erection of any such building, within the said city's limits at any future time.

3. To regulate, widen, pave and curb Water Street, and to distribute the Schuylkill water therein upon the following plan, that is to say—that Water Street be widened east and west from Vine Street all the way to South Street, in like manner as it is from the front of my dwelling to the front of my stores on the west side of Water Street, and the regulation of the curb-stones continued at the same distance from one another, as they are at present opposite to the said dwelling and stores, so that the regulation of the said street be not less than thirty-nine feet wide, and afford a large and convenient footway, clear of obstructions and incumbrances of every nature, and the cellar doors on which, if any shall be permitted, not to extend from the buildings on to the footway more than four feet; the said width to be increased gradually, as the fund shall permit, and as the capacity to remove impediments shall increase, until there shall be a correct and permanent regulation of Water Street, on the principles above stated, so that it may run north and south as straight as possible. That the ten feet middle Alley, belonging to the public, and running from the centre of the east squares to Front Street all the way down across Water Street to the river Delaware, be kept open and

cleaned as city property, all the way from Vine to South Street; that such part of each centre or middle Alley as runs from Front to Water Street, be arched over with bricks or stone, in so strong a manner as to facilitate the building of plain and permanent stone steps and platforms, so that they may be washed and kept constantly clean; and that the continuance of the said Alleys, from the east side of Water Street be curbed all the way to the river Delaware, and kept open forever. (I understand that those middle or centre Alleys, were left open in the first plan of the lots, on the east front of the city, which were granted from the east side of Front Street to the river Delaware, and that each lot on said east front has contributed to make those Alleys by giving a part of their ground in proportion to the size of each lot; those Alleys were in the first instance, and still are, considered public property, intended for the convenience of the inhabitants residing in Front Street to go down to the river for water and other purposes; but, owing to neglect or to some other cause, on the part of those who have had the care of the city property, several encroachments have been made on them by individuals, by wholly occupying, or building over them, or otherwise, and in that way the inhabitants, more particularly those who reside in the neighbourhood, are deprived of the benefit of that wholesome air, which their opening and cleansing throughout would afford.) That the iron pipes, in Water Street, which, by being of smaller size than those in the other streets, and too near the surface of the ground, cause constant leaks, particularly in the winter season, which in many places render the street impassible, be taken up and replaced by pipes of the same size, quality and dimensions in every respect, and

laid down as deeply from the surface of the ground, as the iron pipes, which are laid in the main streets of the city; and as it respects pumps for Schuylkill water and fire-plugs in Water Street, that one of each be fixed at the south-west corner of Vine and Water Streets, and so running southward, one of each near the steps of the centre Alley, going up to Front Street; One of each at the south-west corner of Sassafras and Water Streets, one of each near the steps of the centre Alley going up to Front Street, and so on at every south-west corner of all the main streets and Water Street, and of the centre Alleys of every square, as far as South or Cedar Street; and when the same shall have been completed, that all Water Street shall be repaved by the best workmen, in the most complete manner, with the best paving water-stones, after the height of the curb-stones shall have been regulated throughout, as well as the ascent and descent of the street, in such manner as to conduct the water through the main streets and the centre Alleys to the river Delaware, as far as practicable; and whenever any part of the street shall want to be raised, to use nothing but good paving gravel for that purpose, so as to make the paving as permanent as possible. By all which improvements, it is my intention to place and maintain the section of the city above referred to, in a condition which will correspond better with the general cleanliness and appearance of the whole city, and be more consistent with the safety, health, and comfort of the citizens. And my mind and will are, that all the income, interest, and dividends of the said capital sum of five hundred thousand dollars, shall be yearly, and every year, expended upon the said objects, in the order in which I have stated them as closely as possible, and

upon no other objects until those enumerated shall have been attained; and, when those objects shall have been accomplished, I authorize and direct the said The Mayor, Aldermen, and Citizens, to apply such part of the income of the said capital sum of five hundred thousand dollars, as they may think proper to the further improvement, from time to time, of the eastern or Delaware front of the city.

XXIII. I give and bequeath to the Commonwealth of Pennsylvania, the sum of *Three Hundred Thousand Dollars*, for the purpose of internal improvement by canal navigation, to be paid into the State treasury by my executors, as soon as such laws shall have been enacted by the constituted authorities of the said Commonwealth as shall be necessary, and amply sufficient to carry into effect, or to enable the constituted authorities of the city of Philadelphia to carry into effect the several improvements above specified; namely, 1. *Laws*, to cause Delaware Avenue, as above described, to be made, paved, curbed, and lighted; to cause the buildings, fences, and other obstructions now existing to be abated and removed; and to prohibit the creation of any such obstructions to the eastward of said Delaware Avenue; 2. *Laws*, to cause all wooden buildings as above described to be removed, and to prohibit their future erection within the limits of the city of Philadelphia; 3. *Laws*, providing for the gradual widening, regulating, paving, and curbing Water Street, as herein before described, and also for the repairing the middle alleys, and introducing the Schuylkill water, and pumps, as before specified—all which objects may, I persuade myself, be accomplished on principles at once just in relation to individuals, and highly beneficial to the public: the said sum, however, not to be paid, unless said laws be passed within one year after my decease.

XXIV. And as it regards *the remainder of said residue* of my personal estate, in trust, to invest the same in good securities, and in like manner to invest the interest and income thereof from time to time, so that the whole shall form a permanent fund; and to apply the income of the said fund,

1st. To the further improvement and maintenance of the aforesaid College, as directed in the last paragraph of the XXIst clause of this Will:

2d. To enable the Corporation of the City of Philadelphia to provide more effectually than they now do, for the security of the persons and property of the inhabitants of the said City, by a competent police, including a sufficient number of watchmen, really suited to the purpose; and to this end, I recommend a division of the City, into watch districts, or four parts, each under a proper head, and that, at least two watchman shall, in each round or station, patrole together.

3d. To enable the said Corporation to improve the City property, and the general appearance of the City itself, and, in effect, to diminish the burden of taxation, now most oppressive, especially on those who are the least able to bear it:—

To all which objects, the prosperity of the City, and the health and comfort of its inhabitants, I devote the said fund as aforesaid, and direct the income thereof to be applied yearly and every year forever, after providing for the College as hereinbefore directed, as my primary object. But, if the said City shall knowingly and wilfully violate any of the conditions hereinbefore and hereinafter mentioned, then I give and bequeath the said remainder and accumulations to the Commonwealth of Pennsylvania, for the purposes of inter-

nal navigation; excepting, however, the rents, issues, and profits of my real estate in the City and County of Philadelphia, which shall forever be reserved and applied to maintain the aforesaid College, in the manner specified in the last paragraph of the XXIst clause of this Will: And if the Commonwealth of Pennsylvania shall fail to apply this or the preceding bequest to the purposes beforementioned, or shall apply any part thereof to any other use, or shall, for the term of one year, from the time of my decease, fail or omit to pass the laws hereinbefore specified for promoting the improvement of the City of Philadelphia, then I give, devise and bequeath the said remainder and accumulations (the rents aforesaid always excepted and reserved for the College as aforesaid) to the United States of America, for the purposes of internal navigation, and no other.

Provided, nevertheless, and I do hereby declare, that all the preceding bequests and devises of the residue of my estate to the Mayor, Aldermen, and Citizens of Philadelphia, are made upon the following express conditions, that is to say:—*First*, That none of the monies, principal, interest, dividends, or rents, arising from the said residuary devise and bequest, shall at any time be applied to any other purpose or purposes whatever, than those herein mentioned and appointed:—*Second*, That separate accounts, distinct from the other accounts of the Corporation, shall be kept by the said Corporation, concerning the said devise, bequest, College, and funds, and of the investment and application thereof; and that a separate account or accounts of the same shall be kept in bank, not blended with any other account, so that it may at all times appear on examination by a committee of the Legislature as herein-

after mentioned, that my intentions had been fully complied with:—*Third*, That the said Corporation render a detailed account annually, in duplicate, to the Legislature of the Commonwealth of Pennsylvania, at the commencement of the session, one copy for the Senate, and the other for the House of Representatives, concerning the said devised and bequeathed estate, and the investment and application of the same, and also a report in like manner of the state of the said college, and shall submit all their books, papers, and acconnts touching the same, to a committee or committees of the Legislature for examination, when the same shall be required.

Fourth, the said Corporation shall also cause to be published in the month of January, annually, in two or more newspapers, printed in the City of Philadelphia, a concise but plain account of the state of the trusts, devises and bequests herein declared and made, comprehending the condition of the said college, the number of scholars, and other particulars needful to be publicly known, for the year next preceding the said month of January, annually.

XXV. And whereas I have executed an assignment, in trust, of my banking establishment, to take effect the day before my decease, to the intent that all the concerns thereof may be closed by themselves, without being blended with the concerns of my general estate, and the balance remaining to be paid over to my executors: Now, I do hereby direct my executors, hereinaftermentioned, not to interfere with the said trust in any way except to see that the same is faithfully executed, and to aid the execution thereof by all such acts and deeds as may be necessary and expedient to effectuate the same, so that it my be speedily closed, and

the balance paid over to my executors, to go, as in my Will, into the residue of my estate: And I do hereby authorize, direct, and empower the said trustees, from time to time, as the capital of the said bank shall be received, and shall not be wanted for the discharge of the debts due thereat, to invest the same in good securities in the names of my executors, and to hand over the same to them, to be disposed of according to this my Will.

XXVI. Lastly, I do hereby nominate and appoint Timothy Paxson, Thomas P. Cope, Joseph Roberts, William J. Duane, and John A. Barclay, executors of this my last Will and Testament: I recommend to them to close the concerns of my estate as expeditiously as possible, and to see that my intentions in respect to the residue of my estate are and shall be strictly complied with: and I do hereby revoke all other Wills by me heretofore made.

In witness, I, the said Stephen Girard, have to this my last Will and Testament, contained in thirty-five pages, set my hand at the bottom of each page, and my hand and seal at the bottom of this page; the said Will executed, from motives of prudence, in duplicate, this sixteenth day of February, in the year one thousand eight hundred and thirty.

STEPHEN GIRARD. [*Seal.*]

Signed, sealed, published, and declared by the said Stephen Girard, as and for his last Will and Testament, in the presence of us, who have at his request hereunto subscribed our names as witnesses thereto, in the presence of the said Testator, and of each other. Feb. 16, 1830.

JOHN H. IRWIN,
SAMUEL ARTHUR,
S. H. CARPENTER.

WHEREAS, I, Stephen Girard, the Testator named in the foregoing Will and Testament, dated the sixteenth day of February, eighteen hundred and thirty, have, since the execution thereof, purchased several parcels and pieces of real estate, and have built sundry Messuages, all which, as well as any real estate that I may hereafter purchase, it is my wish and intention to pass by the said Will: Now, I do hereby republish the foregoing last Will and Testament, dated February 16, 1830, and do confirm the same in all particulars: In witness, I, the said Stephen Girard, set my hand and seal hereunto, the twenty-fifth day of December, eighteen hundred and thirty.

STEPHEN GIRARD. [*Seal.*]

Signed, sealed, published, and declared by the said Stephen Girard, as and for a republication of his last Will and Testament, in the presenee of us, who, at his request, have hereunto subscribed our names as Witnesses thereto in the presence of the said Testator and of each other, December 25th, 1830.

JOHN H. IRVIN,
SAMUEL ARTHUR,
JNO. THOMSON.

WHEREAS, I, Stephen Girard, the Testator named in the foregoing Will and Testament, dated February 16, 1830, have, since the execution, thereof, purchased several parcels and pieces of land and real estate, and have built sundry Messuages, all which, as well as any real estate that I may hereafter purchase, it is my intention to pass by said Will; And whereas in particular, I have recently purchased from Mr. William Parker, the Mansion House, out-buildings, and forty-five acres and some perches of land, called Peel Hall, on the Ridge Road, in Penn Township: Now, I declare it to be my intention, and I direct, that the Orphan

establishment, provided for in my said Will, instead of being built as therein directed upon my square of ground between High and Chesnut and Eleventh and Twelfth Streets in the City of Philadelphia, shall be built upon the estate so purchased from Mr. W. Parker, and I hereby devote the said estate to that purpose, exclusively, in the same manner as I had devoted the said square, hereby directing that all the improvements and arrangements for the said Orphan establishment prescribed by my said Will as to said square shall be made and executed upon the said estate, just as if I had in my Will devoted the said estate to said purpose—consequently, the said square of ground is to constitute, and I declare it to be a part of the residue and remainder of my real and personal estate, and given and devised for the same uses and purposes as are declared in section twenty, of my Will, it being my intention that the said square of ground shall be built upon and improved in such a manner as to secure a safe and permanent income for the purposes stated in said twentieth section. In witness whereof, I, the said Stephen Girard, set my hand and seal hereunto, the twentieth day of June, eighteen hundred and thirty one.

STEPHEN GIRARD. [*Seal.*]

Signed, sealed, published, and declared, by the said Stephen Girard, as and for a republication of his last Will and Testament, and a further direction in relation to the real estate therein mentioned, in the presence of us, who, at his request, have hereunto subscribed our names as witnesses thereto, in the presence of the said Testator, and of each other, June 20, 1831.

S. H. CARPENTER,
L. BARDIN,
SAMUEL ARTHUR.

Philadelphia, December 31st, 1831,—Then personally appeared Samuel Arthur and S. H. Carpenter, two of the witnesses to the foregoing Will and the second Codicil or republication thereof, and on their oaths did say that they were present, and did see and hear Stephen Girard the testator in the said Will and second republication thereof named, sign, seal, publish and declare the same as and for his last Will and Testament, and republication thereof, and that at the doing thereof, he was of sound mind, memory and understanding, to the best of their knowledge and belief; and at the same time appeared Jno. Thomson, one of the witnesses to the first republication of said Will, and on his solemn affirmation did say that he was present, and did see and hear Stephen Girard, the testator in the first republication of said Will, named, sign, seal, publish, and declare the same as and for a republication of his last Will and Testament. And the said Samuel Arthur, another of the witnesses to said first republication of said Will, on his oath did further say, that he was present, and did see and hear Stephen Girard, the testator in the first republication of said Will, named, sign, seal, publish and declare the same as and for a republication of his last Will and Testament, and they both did say that at the doing thereof, he was of sound mind, memory and understanding, to the best of their knowledge and belief.

Coram,

J. HUMES, *Register.*

December 31, 1831.—Timothy Paxson and Thomas P. Cope, two of the Executors, affirmed, and Joseph Roberts, William J. Duane, and John A. Barclay, the other Executors, sworn, and letters testamentary granted unto them.

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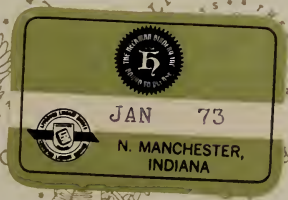
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